

he by certify that this correspondence is being deposited with the U.S. Postal Servey, with sufficient prevage as First Class Mail, in an envelope addressed to: Commissioner for Paperts, P.O. Box 1450, Alexandria, VA 22313-1450, on the

Dated: May 18, 2005

Signature: ///LENVIC /(Thomas A. Mille

- Jaw

Docket No.: 29985/03-006

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

James Weldon, et al.

Application No.: 10/754,362

Filed: January 8, 2004 Art Unit: 3761

For: SUTURING DEVICE FOR IMPLANTABLE Examiner: Not Yet Assigned

DEVICE

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following additional documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Applicant(s) have become aware of the following documents, cited in a Partial International Search Report issued April 27, 2005, during the prosecution of international application no. PCT/US2005/000353, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the International Search Report and of each document required under 37 CFR 1.98(a)(2) cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

Application No.: 10/754,362 Docket No.: 29985/03-006

The undersigned hereby certifies that each item contained in this Supplemental Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Furthermore, in accordance with 37 CFR 1.704(d), Applicant(s) note(s) that to our knowledge this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of this statement.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29985/03-006. A duplicate copy of this paper is enclosed.

Dated: May 18, 2005

Respectfully submitted,

Thomas A. Miller

Registration No.: 40,091

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

**Sears Tower** 

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant

PE Crack WHAT 2 0 700 THE ADELLA OF THE ADELLA OF THE Paperwo.

PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
fer the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sub	Substitute for form 1449A/B/PTO			Complete if Known	
				Application Number	10/754,362
SUI	PPLEMENTA	L IN	FORMATION	Filing Date	January 8, 2004
	DISCL	OSU	IRE	First Named Inventor	James Weldon et al.
S	TATEMENT	BY A	PPLICANT	Art Unit	3761
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	29985/03-006

			U.S. PA	TENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( if known)		Applicant of Cited Document	
		US-6,071,292-A	06-06-2000	Makower et al.	
		US-2001/039436-A1	11-08-2001	Frazier et al.	

	FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines,		
Initials*	No.1	Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>	
		WO 00/60995-A	10-19-2000	Evalve, Inc.			
		WO 02/17797-A	03-07-2002	Advanced Vascular			
	1			Technologies, LLC		l	

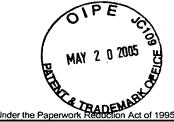
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>		
		Partial International Search Report PCT/US2005/000353; report dated April 27, 2005.			

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date
Signature	Considered

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/92 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No.: 10/754,362

Attorney Docket No.: 29985/03-006

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

On May 18, 2005

Date

Signature

Thomas A. Miller

Typed or printed name of person signing Certificate

40,091

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant (5 References) (1 page) Supplemental Information Disclosure Statement